

Action mailed December 23, 2003, are noted. Enclosed herewith please also find a new Statement Under 37 CFR 3.73(b) and a new Consent of Assignee. The enclosed Statement includes a statement by Mr. Sakuta, Executive Officer, Intellectual Property Group, Hitachi, Ltd., that he "is authorized to act on behalf of the assignee". Particularly in view of this submitted Statement, it is respectfully submitted that the requirement for a new submission has been satisfied.

Refusal by the Examiner to consider the Information Disclosure Statement filed September 11, 2002, as failing to comply with the provisions of 37 CFR § 1.97 and § 1.98 and Manual of Patent Examining Procedure 609 "because foreign documents have been submitted which have not been provided with adequate translations and/or abstracts of the subject matter contained within the documents", is noted. To clarify, the Examiner has only refused to consider some of the submitted documents; others of the submitted documents have clearly been considered. Moreover, In connection therewith, attention is respectfully directed to the Submission Under 37 CFR § 1.56 submitted April 2, 2004, including various full English translations and English Abstracts. It is respectfully requested that the Examiner consider these documents submitted April 2, 2004, to the extent appropriate.


In view of the foregoing and enclosures, it is respectfully submitted that all formal requirements in the Office Action mailed December 23, 2003, have been satisfied. Moreover, the undersigned notes with thanks the allowance of claims 1-17.

In view of all of the foregoing, passing of the above-identified application to issue, and issuance of a reissue patent in due course, are respectfully requested.

It is respectfully requested that any shortage in the fee be charged to the account of Antonelli, Terry, Stout & Kraus, LLP, Account No. 01-2135 (Case No. 520.30414R50).

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in black ink, appearing to read 'William I. Solomon', written over the printed name.

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